CONGRESSIONAL RECORD SENATE X PER 1 3793

place of public accommodation, resort, or

"(3) The full and equal privilege to purchase or rent any item of real estate, goods, commodities, service, or any other thing offered for charge to offere.

offered for charge to chiers.

"(b) No person being the owner, propertor, superintendent, insanger, agent, or amployee of any publicly licensed business or any other business or indeptrial establishment, shall directly indirectly or by subsergue, deny employment in or at such business to any applicant therefor, or engage in or permit any discrimination or discreminal in pay or working conditions for workers doing the same work, on account of race, creed, color, or mational origin, subject only creed, color, or pational origin, subject only to the conditions and limitations estab-lished by law and applicable in line massner

to all persons.

"(c) No person being an officer, age employee of a labor organization shall di-rectly, indirectly or by subterfuge desy mem-bership in such organization to any appli-cant therefor, on account of rece, creed or color, or national origin, subject only to the conditions and limitations established by law and applicable in like manner to all persons.

persons.

"(d) No person, being the owner, proprietor, lesses, superintendent, agent, or employee of any place of public accommandation,
resort or amusement, shall directly or imdirectly or by subterfuge

cirectly or by statestings—

"(1) withhold from or deay to any other
person any of the secommodations, advantages, facilities, or privileges there of; or

"(2) adopt or pursue any sustom, policy,

practice, requirement or secret understanding, or any quetom or policy of non-member-ship discrimination or guest-card require-ment with respect to the operation or management of such place which is intended, calculated or designed to, or which shall have the effect of discriminating against any other persons on account of race, creed, color, or national origin, or by reason of nonmembership in a club.

"(e) No person, being an officer, owner, proprietor, manager, superintendent, lesses agent or employee of any business or chib. engaged in selling leasing or renting any plots of laris, building sites, lots, astates, houses, apartments, or any other item of real estate chall, directly, indirectly or by subterfuge, deay to any other person the right to purchase, lease or tent any such right to purcha item of real estate, on account of race, cleed, tem of real secare, on account a race state color or national origin, subject only to the conditions and limitations established by law, and applicable in the manner to all persons.

"(f) Any restrictive covenant or condition "(f) Any restrictive covenant or condition or other provision in a died, contract or writing of whatcover hattire relating to the conveyance hat, lease or rental, of real estate, or any interest therein, which he may manner prohibits or restricts the restrict and or real or real or restricts the residence of such real estate or interest therein or account of real estate or interest therein or of such real estate or inverse triested of account of race, creed, color or national origin, is contrary to public policy and banely declared null and vold and of mo effect what-scover. Likewise any coverant, condition. scever. Likewise any covenant, condition or provision in such deed, contract or writing requiring resale back to the seller or to some other particular person, corporation or group or any other special epties on the part of the seller, except in family relationship and government bonsesteed deeds, to hereby declared to be subtiffuge and also void and of no force whatecever

"(g) The use of any roadway or street into, within or through any subdivision of or residential development of 10 or more dwillings, which roadway or street is open to the use of any other persons as guests. visitors or permitees, other than the solual inhabitants thereof, shall not be demied or restricted directly, indirectly or by subterfuge, to any person on account of race, creed,

color or national origin, subject only to the conditions and limitations established by law and applicable in like manner to all persons.

A. WILING INFORMATION AS TO CLUB PACILLY TIRS, LECENSE, CHARGES, ETC., SETTEMENA-

(a) No later than January 15 of each year, any person maintaining, ewning, leas-ing, possessing, or operating any club fa-cilities consisting of physical property such as land, beaches, or buildings shall file with the Government Beorglary—

the Government Secretary—

"(1) a statement of the licenses he holds to sell fiquor, food or drisk, or to rent rooths, or to charge for any other use or occupancy of property, facility, service or beach, together with a statement of what articles, if any, are sold, what rooms, if any, are rented, and what other facilities or services

are maintained for charge; and

"(2) if an incorporated or unincorporated mociation of individuals, a copy of its constitution and bylaws, together with a list of all duly elected officers and directors and a list of all members of the associationall of which must be certified upon oath.

"(b) If any charges, as described in sub-section (a) of this section, are made either to members or nonmembers of clubs, the statement required by such subsection shall elso include an affidavit by the president and manager of the club in each such case, certifying that there is no discrimination in such ales, renting, or use based upon race, creed, solor, national origin, or nonmembership in the club.

(c) Any place at or on which charges are made in any manner for any article, or for the me or occupancy of any property, facility, or service located or operated thereon is exsly declared to be a place of public acemmodation, resort, or amusement within the spirit and meaning of this act, and shall, upon determination as such by the Government Scoretary or the District Court of the Virgin Islands, be so registered in the office of the Government Secretary.

S. TUTEROM CHARGES BY PAROCHIAL OF BENOMI-MATIONAL SCHOOLS; ABSCISSION TO RELIGIOUS MAINTAINING SCHOOLS

This act shall not be construed as preventing a reasonable difference in charges by parachial or denominational schools for tuition of members and nonmembers or pref-erence in admission to members of the religious .body maintaining the school.

"6. SEPONCEMENT BY COMMISSIONER OF PUBLIC SAFETT

The Commissioner of Public Safety shall name a panel of police officers, selected for their tact and intelligence, who shall be au-Shorised to make periodical inspections, at responsible since of all places holding any licenses whatsoever, or other business estabto investigate any civib in order to see that the provisions of this ast are complied with. The Commissioner shall be responsible for by members of the panel which he has set up. Buck inspections shall be made at intervals such inspections shall be made at intervals. not less than 60 days. The inspecting offi-er or officers shall file with the Commisof pot le sioner a written report on the findings of each inspection. These reports shall form a ermanent record in the office of the Commissioner of Public Safety. Any violations revealed by said reports shall be immedi-ately referred to the Office of the Attorney

"T. PENALTING FOR VIOLATIONS

"Whoever, whether as owner, officer, manager, agent, or employee of any business or industrial establishment, labor organization, place of public accommodation, resort or amusement, or club, violates any of the pro-visions of this act, shall, for each and every such violation be-

"(1) liable in actual damages, and in tion, thereto, to punitive damages not to exceed \$5,000 to be recovered in a civil action by the person aggrieved thereby or by any resident of the Virgin Islands to whom the person aggrieved may assign his cause of action: and

(2) fined not more than \$2,000 or imprisonment not more than six months, or

"(8) the owner or owners of any bustnest where an offense mentioned herein has an committeed by his or its officer, manager, agent, or employee, such owner or dwnbrs shall be severally and/or jointly liable with the offender for the actual and punitive damages provided for herein.

"(4) each day of violation shall constitute

a separate offense.

"(5) neither penalty nor action listed above, in subsections (1) and (2) of this section, shall be a bar to the other, and reery or action in one shall not preclude action or recovery in the other or of any other lawful remedy otherwise possessed by an aggrieved person.

"(6) any person who conspires with another person to violate any of the provisions of bals act shall be liable as a principal violator and subject to all of the penalties above.

"B. REVOCATION OF LICENSE BY THE DISTRICT COURT, PROCEDURE

Whenever the Attorney General of the Virgin Islands has information that any person engages in any act, or adopt or pursues any custom, policy, practice, or requirement amounting in effect to violation or evasion of this act, he shall procure a rule to show cause to issue out of the District Court of the Virgin Islands requiring such person to show cause before such Court why his license to do business should not be revoked because of an act or acts committed against public policy.

"If the Court finds that such person has violated or is violating any of the provisions. of this act, it shall order his license revoked or suspended because of an act or acts committed against public policy.

"9. REVOCATION OF LICENSE OR TAX EXEMPTION . BY COVERNOR

"In addition to any other penalties provided for in this act, the license to conduct a business, or to sell any articles or facilities or services, or any tax or fee exemption or subsidy granted under the provisions of title 33, V.L.C., subtitle 4, or any person who violates any of the provisions of this act in connection with such business, sale of articles or facilities or services may, in the dis-cretion of the Governor, after adequate notice and hearing, be revoked, suspended or its renewal denied.

"10. COMSTRUCTION OF ACT

The courts shall construe this act liberally in furtherance of its intent as stated in ection 1 of this title.

Bac, 2. This act shall become effective immediately upon approval."

Thus passed by the Legislature of the Virgin Islands on June 2, 1961,

Witness our hands and the seal of the legislature this 2d day of June, A.D. 1961.

WALTER I. M. HODGE. President.

JOHN L. MADURO. Legislative Secretary

PROPOSED JOINT COMMITTEE ON FOREIGN INFORMATION AND IN-TRILIGENCE

Mr. McCARTHY. Mr. President, on April 27, I introduced Senate Joint Resolution 77 on behalf of myself and 20 other Senators. The resolution would establish a Joint Senate-House Commit-